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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/027,610	12/19/2001	Chenghui Wang	01P04874US01	3010

7590 01/31/2007
Siemens Corporation
Attn: Elsa Keller, Legal Administrator
Intellectual Property Department
186 Wood Avenue South
Iselin, NJ 08830

EXAMINER

NGUYEN, STEVEN H D

ART UNIT	PAPER NUMBER
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2616

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/31/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/027,610	Applicant(s) WANG, CHENGHUI	
	Examiner Steven HD Nguyen	Art Unit 2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 November 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10, 17-19 and 21-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 17-19 is/are allowed.
- 6) ☒ Claim(s) 1-10 and 21-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claim 25 rejected under 35 U.S.C. 102(e) as being anticipated by Mizell (US 20020077133).

Mizell discloses a system and method comprising processing attaching a mobile to SGSN and initiating a PDP context activation at SGSN (Figs 1-2 and Figs 3-4, ref 316 and 416, Fig 5, Ref 524).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 4 and 26 rejected under 35 U.S.C. 103(a) as being unpatentable over Mizell (US 20020077133) in view of Surdila (US 20020110104).

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Regarding claims 4 and 26, Mizell discloses a system and method comprising processing point attach and initiating a PDP context activation at GPRS (Figs 1-2 and Figs 3-4, ref 316 and 416, Fig 5, Ref 524). However, Mizell fails to disclose triggering a sip request from a sip user agent residing in the GPRS. In the same field of endeavor, Surdila discloses a hybrid gateway (Fig 2, ref 51) that includes a UAC (Fig 3, Ref 58) for generating a sip request (Fig 2, Ref 25 and 27).

Since, it has been held that there would be no invention in shifting the location parts, *In re Japikse*, 86 USPQ 70 (CCPA 1950). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to apply a UAC function into the SGSN into the teaching of Surdila into the SGSN of Mizell. The motivation would have been to reduce the cost of the system.

5. Claims 1, 5 and 21-24 rejected under 35 U.S.C. 103(a) as being unpatentable over Surdila (US 20020110104).

Surdila discloses a GPRS network comprising at least one mobile station and a SGSN comprising means for communicating with the mobile (Fig 2, SGSN 17 communicates with the mobiles 14 and 32), means for sending a SIP request (Fig 2, Ref 51-52) for services to a SIP application server (Fig 2, Ref 25 and 27) comprising UAC and inherently discloses means for triggering multimedia services because Fig 2 discloses a multimedia services system.

Since, it has been held that there would be no invention in shifting the location parts, *In re Japikse*, 86 USPQ 70 (CCPA 1950). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to apply a UAC function into the

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SGSN into the teaching of Surdila. The motivation would have been to reduce the cost of the system.

6. Claims 2-3 and 6-10 rejected under 35 U.S.C. 103(a) as being unpatentable over Surdila (US 20020110104) in view of Mizell (US 20020077133)

Regarding claims 2-3 and 6-7, Surdila fails to disclose means for initiating PDP context activation comprising means for activating a PDP context at a detection point or point attach. In the same field of endeavor, Mizell discloses a system and method comprising processing point attach and initiating a PDP context activation at GPRS (Figs 1-2 and Figs 3-4, ref 316 and 416, Fig 5, Ref 524).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to apply a method and system for initiating a PDPcontext request at a point as disclosed by Mizell into Surdila. The motivation would have been to reduce the cost of the system.

Regarding claims 8-10, Surdila and Mizell fail to disclose implement push services, presence status and push prepaid recharging service. However, the examiner take an official notice that a method and system for implementing push services, presence status and push prepaid recharging service are well known and expected in the art at the time on invention was made. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to apply these functions into the teaching of Surdila and Mizell. The motivation would have to detect a device online, performing billing, provide information to the users.

Allowable Subject Matter

7. Claims 17-19 allowed.

Response to Arguments

8. Applicant's arguments filed 11/20/06 have been fully considered but they are not persuasive.

The applicant states that the examiner must present the prior arts that teaches exactly as the claimed apparatus and method such as these services are implemented at SGSN. In reply, the examiner does not state SGSN with these services are well known and expected in the art. The examiner states that these services are well known and expected in the art at the time of invention were made. Therefore, it would have been obvious to one of ordinary skill in the art to implement the services to any devices, which will improve the system.

Conclusion

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37


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CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven HD Nguyen whose telephone number is (571) 272-3159. The examiner can normally be reached on 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin can be reached on (571) 272-3134. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Steven HD Nguyen
Primary Examiner
Art Unit 2616

